

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CONSTELLATION NEWENERGY, INC.,

Plaintiff,

v.

WEST SIDE MANHATTAN REAL
ESTATE, LLC,

Defendant.

WEST SIDE MANHATTAN REAL
ESTATE, LLC,

Third-Party Plaintiff,

v.

JOHN HAJJAR, M.D., REGENT MEDICAL
PROPERTIES LLC, and BARTON
SCHACK,

Third-Party Defendants,

Civ. A. No. 1:20-CV-08448



Dale E. Ho

United States District Judge

Dated: September 19, 2024

New York, New York

**NOTICE OF
MOTION TO STRIKE**

PLEASE TAKE NOTICE THAT, on October 7, 2024, or on a date and at a time thereafter to be determined by the Court, the Defendant in the above-captioned matter, WEST SIDE MANHATTAN REAL ESTATE, LLC by its undersigned counsel, **SHALL MOVE** before the Honorable Dale E. Ho, United States District Judge, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York, 10007, for an **ORDER STRIKING** in its entirety the memorandum of law (ECF Doc. 126) that the plaintiff, Constellation NewEnergy Inc. has filed in opposition to WSMRE's pending motion for summary judgment; and

PLEASE TAKE FURTHER NOTICE THAT in support of this motion, Defendant shall rely on the accompanying Memorandum of Law.

Dated: September 16, 2024

Respectfully submitted,

Wilson Elser Moskowitz Edelman & Dicker LLP

By: /s/ Thomas A. Gentile
THOMAS A. GENTILE

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